

ORDINANCE
CITY OF SAINT PAUL, MINNESOTA

Presented by

An interim ordinance adopted pursuant to Minnesota Statute § 462.355,
Subd. 4. Preserving the status quo with respect to single-family and two-
family residential building permits pending the completion of studies of
possible amendments to the City's official controls which would establish
design standards for the construction of new single-family and two-family
residential structures.

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THE COUNCIL OF THE CITY OF SAINT PAUL DOES HEREBY ORDAIN:

Section 1.

Statements of Legislative Intent and Council Findings: The City Council, under Council File No. 09-63,
has requested the planning commission to undertake a study of design standards for the construction of
single-family and two-family residential dwellings because the City's zoning code lacked authority to
impose design standards on building permit applications. The Council has made its legislative statement of
intent and findings supporting the need for the interim ordinance and the Council hereby incorporate those
same statements and findings into this interim ordinance by reference. Accordingly, based upon the said
statements and findings, the Council finds that there exists an immediate need to preserve the status quo
with respect to the construction of single-family and two-family dwellings in order to protect the general
health, welfare and safety of the public pending the completion of the design standards report by the
planning commission. Therefore, the Council desires to immediately institute the following design
standards for construction of one-family and two-family residential structures until such time as the
aforementioned planning commission study has been completed and the Council has taken action on the
recommendation contained therein by amending, if necessary, the official controls of the City.

Section 2.

Pending completion of the said zoning study and any recommendations to adopt amendments to the
City's official controls and the Council's enactment of them if any and as provided by Minn. Stat. §
462.355, Subd. 4, the following regulations for design standards for the regulation of single-family and
two-family residential structures shall be enforced as follows:

A. Applicants for building permits for single-family and two-family residential structures shall abide
by the following regulations which, for the purposes of constructing such structures, shall supersede
current regulations applied to such structure permits under the following sections of the zoning code: Leg.
Code §§ 61.401 and 63.110.

1. Sec. 61.401. Site plan review generally.

A site plan shall be submitted to and approved by the zoning administrator before building permits are
issued for new buildings or building expansions. Building permit applications for new buildings or

42 building expansions shall be accompanied by a site plan and building elevations drawn to scale and
 43 showing the following:

- 44
- 45 (1) The actual shape, location and dimensions of the zoning lot.
 - 46 (2) The shape, size and location of all buildings or other structures to be erected, altered, or moved and
 47 of any building or other structures already on the zoning lot.
 - 48 (3) The existing and intended use of the zoning lot and of all such structures upon it, including, for
 49 residential uses, the number of dwelling units the building is intended to accommodate.
 - 50 (4) Such other information concerning the zoning lot or adjoining lots as may be determined by the
 51 zoning administrator as essential for determining whether the provisions of this code are being
 52 observed.

53

54 **2. Sec. 63.110. General design standards.**

55 The following design standards shall be used unless the applicant can demonstrate that there are
 56 circumstances unique to the property that makes compliance impractical or unreasonable.

- 57
- 58 (a) Primary entrances on principal structures shall face the primary abutting public street or be linked
 59 to that street by a clearly defined and visible walkway or courtyard. Additional secondary
 60 entrances may be oriented to a secondary street or parking area. Primary entries shall be clearly
 61 visible and identifiable from the street, and delineated with elements such as roof overhangs,
 62 recessed entries, landscaping, or similar design features. Any sides of building facing an abutting
 63 public street should use the same building materials and other architectural treatments as principal
 64 facades.
 - 65
 - 66 (b) New development should relate to the design of adjacent traditional buildings, where these are
 67 present, in scale and character. This can be done through such means as similar setbacks, facade
 68 divisions, roof lines, rhythm and proportions of openings, building materials and colors. Historic
 69 architectural styles need not be replicated.
 - 70
 - 71 (c) Residential uses at street level shall generally be set back far enough from the street to provide a
 72 yard area between the public sidewalk and the front door. Landscaping, steps, porches, grade
 73 changes, and low ornamental fences or walls may be used to provide increased privacy and
 74 livability for first floor units.
 - 75
 - 76 (d) For principal residential buildings, above grade window and door openings (excluding the area of
 77 garage doors) shall comprise at least ten (10) percent of the total area of all exterior walls and
 78 twelvefifteen (1215) percent of the total area of exterior walls (excluding the area of garage doors)
 79 facing a public street or sidewalk.
 - 80
 - 81 (e) For residential parking, the following standards shall apply:
 - 82
 - 83 (1) Off-street parking spaces shall not be located within a front yard or non-interior side yard.
 84 Except in the rear yard, garages that face and front on a public street shall be set back from
 85 abutting public streets at least as far as the principal structure (in the case of attached
 86 garages, this refers to the non-garage part of the principle structure) and garage doors shall

not exceed sixty (60) percent of the width of the principal structure. Except in the rear yard, garage doors facing a public street shall be no more than nine (9) feet in height.

- (2) Access to off-street parking For one-family through four-family and townhouse dwellings, ~~access to off-street parking~~ shall be from an abutting improved alley when available, provided that On corner lots, access to parking in the rear yard may be from the side street.

- (3) For one-family through four-family dwellings, and for townhouses with garage doors that face and front on a public street, driveways in front yards shall be no more than twelve (12) feet in width. A driveway apron up to four (4) feet wider than the garage door may extend thirty (30) feet from the garage before reducing to a width of twelve (12) feet.

- (f) The number of curb cuts shall be minimized, and shared curb cuts for adjacent parking areas are encouraged.

B. For the purposes of consistency with the purpose and intent of the interim ordinance, Leg. Code § 63.316 shall be read as set forth below:

1. Sec. 63.316. Paving.

All parking spaces, driveways and off-street parking facilities shall be paved with asphalt or other durable, dustless surfacing, or of material comparable to the adjacent street surfacing, in accordance with other specifications of the zoning administrator. The parking area shall be paved within one (1) year of the date of the permit except as provided in section 61.402(e). The total amount of surface parking for one-family and two-family dwellings shall not exceed fifteen (15) percent of the lot area.

Section 3.

Effective Date of Interim Ordinance Imposing Single-Family/Two-Family Design Standards:

This interim ordinance shall take effect and be in force 30 days from and after its passage approval and publication. The effective date of this interim ordinance shall be as of the effective date of the resolution under Council File No. 09-63 which creates the basis for this interim ordinance and, for the purposes of calculating time under Minn. Stat. § 462.355, Subd.4, shall also constitute the actual effective date of the interim ordinance.

Section 4.

Notice to City Departments: The clerk shall deliver a copy of this interim ordinance to the planning administrator, the zoning administrator and the planning commission.

130 Signature Page for Design Standards Interim Ordinance: Council File No. 09-64.
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	Yeas	Nays	Absent
Bostrom	✓		
Carter	✓		
Harris	✓		
Helgen	✓		
Lantry	✓		
Stark	✓		
Thune	✓		
	7	0	0

Requested by Department of:

By:

Approved by the Office of Financial Services

By:

Approved by City Attorney

By: P.W. Hanne 2-2-09

Approved by Mayor for Submission to Council

By:

Adopted by Council: Date 2/11/09

Adoption Certified by Council Secretary

By:

Nancy Erickson

Approved by Mayor: Date 2/19/09

By:

R. Miller